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Docket No. DEP0546

REPLY UNDER
37 CFR § 1.116

EXPEDITED PROCEDURE

TECHNOLOGY CENTER 3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Serhan et al. Group Art Unit: 3732
Serial No.: 09/822,126 Examiner: Manahan, Todd E.
Filed: March 30, 2001
Title: Intervertebral Connection System

CERTIFICATE OF MAILING

I, Amy Schick, hereby certify that this correspondence is being faxed the Commissioner
for Patents, PO Box 1450, Alexandria, VA 22313-1450 on

July 6, 2006

Amy Schick (signature)
Amy Schick

Thomas M. DiMauro (name of Registered Representative)

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE AFTER FINAL REJECTION

Sir:

This is in response to the Office Action mailed January 9, 2006, which set a three-month shortened statutory period for response. A three-month extension of time to

Application No.: 09/822,126
Response Dated: July 5, 2006
Reply to Office Action of: January 9, 2006

respond to the Office Action is hereby requested. This response is filed timely upon mailing, with an executed certificate of mailing, on or before July 10, 2006 because July 9 falls on a Sunday. 37 CFR §§ 1.7, 1.8, and 1.136. As the response to the above-captioned office action was due on April 9, 2006, please provide for a THREE (3) month extension of time and charge the appropriate fee which is due to Deposit Account No. 10-0750, but do not include any payment of issue fees. Accordingly, the due date for response is now July 10, 2006. 37 CFR § 1.17.

If any additional fee is due, please charge that additional fee (or credit any overpayment) to Deposit Account No. 10-0750.

Because the Office Action made the rejection of the pending claims final, consideration of this response pursuant to the expedited procedure for response after final rejection set forth in MPEP § 714.13 (8th Ed., Rev. 3, Aug. 2005, pp. 700-239 to 700-240) respectfully is solicited.

Amendments to the Claims are reflected in the listing of the claims, which begins at page 3 of this paper.

Remarks begin at page 13 of this paper.